

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

---

ACCESS 4 ALL, INC., a Florida Not-for-Profit  
Corporation, and PETER SPALLUTO, Individually,

v.  
Plaintiffs,

BRE/SWISS, LLC, a Delaware Limited Liability Company,  
Defendant.

AMOUNT FEE PAID:  
RECEIPT # 61522  
AMOUNT S 50.00  
DEPUTY CLK  
DATE 1/19/05 JAH

CIVIL ACTION NO.  
1:04-CV-12154-MLW  
  
MOTION TO ADMIT  
COUNSEL PRO HAC VICE

---

In accordance with 83.5.3(b) of the Local Rules of the United States District Court  
District of Massachusetts that governs the admission and practice of attorneys in said District  
Court, the undersigned respectfully moves for the admission of **John P. Fuller, Esquire**,  
12000 Biscayne Blvd., Suite 609, North Miami, Florida 33181, (305) 891-5199, for purposes of  
appearing as counsel on behalf of Plaintiffs, Peter Spalluto and Access 4 All, Inc., in the  
above-styled case.

John P. Fuller certified herewith that he has studied the Local Rules of this Court and is  
a member in good standing of the Florida Bar; and is admitted to the United States District  
Court for the Southern, Middle and Northern Districts of Florida, as well as the United States  
Court of Appeals for the Fifth and Eleventh Circuits. Mr. Fuller's Florida Bar Number is  
0276847. There are no disciplinary proceedings against Mr. Fuller in any jurisdiction. A  
certificate of good standing from the Supervisor, Membership Records of the Florida Bar is  
attached hereto as Exhibit A. Mr. Fuller is a partner with the law firm of Fuller, Fuller &  
Associates, P.A. and has been a member of the Florida Bar for over twenty (20) years. An  
Affidavit of John P. Fuller in Support of this Motion to Admit Counsel Pro Hac Vice is attached  
hereto as Exhibit B.

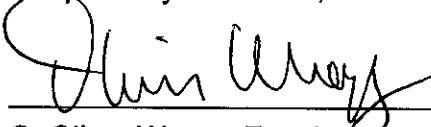
In further support of this motion, it is hereby designated that O. Oliver Wragg is a member of the Bar of this Court. He is also a person to whom the Court and Counsel may readily communicate and upon whom papers may be served.

Mr. Fuller is familiar with the Local Rules of the United States District Court for the District of Massachusetts and his application for leave to practice in this court is on motion of a member of the bar of this court, who has already appeared as counsel for the Plaintiffs, Peter Spalluto and Access 4 All, Inc. Additionally, Mr. Fuller has also submitted the required \$50.00 filing fee to the Clerk of the U.S. District Court.

WHEREFORE, the plaintiffs request that this Court grant John P. Fuller permission to appear before this Court pro hac vice.

The undersigned hereby certifies that counsel for the Plaintiffs made a good faith attempt to obtain concurrence to the relief sought in this motion. Counsel for the Defendant has conferred with opposing counsel and opposing counsel has assented to the foregoing motion.

Respectfully submitted,



O. Oliver Wragg, Esquire  
*of Counsel*

FULLER, FULLER AND ASSOCIATES, P.A.  
(BBO#: 643152)  
12000 Biscayne Blvd., Suite 609  
North Miami, Florida 33181  
Tel: (305) 891-5199  
Fax: (305) 893-9505

I hereby certify that a true and correct copy of the foregoing has been furnished to Gordon P. Katz, HOLLAND & KNIGHT, LLP; 10 St. James Avenue; Boston, MA 02116 and Mary A. Lau; LAU, LANE, PIEPER, CONLEY & McCREADIE, P.A.; P.O. Box 838; Tampa, Florida 33601-0838; via U.S. Mail on this 1 day of January 2005.

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

ACCESS 4 ALL, INC., a Florida Not-for-Profit Corporation, and PETER SPALLUTO, Individually,

CIVIL ACTION NO.  
1:04-CV-12154-MLW

v.

BRE/SWISS, LLC, a Delaware Limited Liability Company,

AFFADAVIT OF JOHN P.  
FULLER IN SUPPORT OF  
MOTION TO ADMIT  
COUNSEL PRO HAC VICE

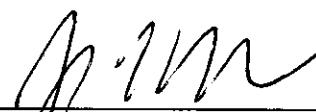
Plaintiffs,  
Defendant.

COMES NOW John P. Fuller and under oath does depose and say as follows:

1. I am a member of the bar in good standing in every jurisdiction where I am admitted to practice.
2. There are no disciplinary proceedings pending against me in any jurisdiction.
3. I am familiar with the Local Rules of the United States District Court of the District of Massachusetts.
4. I am currently actively associated with O. Oliver Wragg, Esq. who is a member of the bar of this Court.

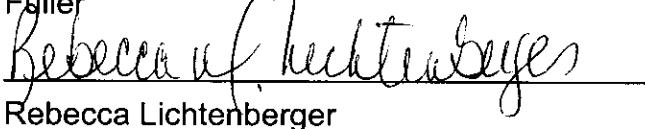
I hereby swear upon penalty of perjury that the foregoing Declaration is true to the best of my knowledge.

Date: 1/11/05

  
John P. Fuller, Esquire

STATE OF FLORIDA  
COUNTY OF Miami-Dade

Sworn to (or affirmed) and subscribed before me this 11 day of January, 2005, by John P. Fuller

  
Rebecca Lichtenberger



Rebecca M Lichtenberger  
My Commission DD138410  
Expires August 01, 2006



Personally Known  OR Produced Identification \_\_\_\_\_ Type of Identification  
Produced \_\_\_\_\_



# The Florida Bar

JOHN F. HARKNESS, JR.  
EXECUTIVE DIRECTOR

651 EAST JEFFERSON STREET  
TALLAHASSEE, FLORIDA 32399-2300

850/561-5600  
[www.FLABAR.ORG](http://www.FLABAR.ORG)

State of Florida )

County of Leon )

In Re:

276847

John Paul Fuller  
Fuller Fuller & Associates, PA  
12000 Biscayne Blvd., Ste. 609  
North Miami, FL

**C**I HEREBY CERTIFY that I am the duly appointed custodian of membership records of The  
**O**Florida Bar.

**P**I FURTHER CERTIFY that the records in the office of the Clerk of the Supreme Court of Florida indicate that said attorney was admitted to practice law in the State of Florida on July 3, 1979.

**Y**I FURTHER CERTIFY that the records in the office of The Florida Bar indicate that the above attorney is a member of The Florida Bar in good standing.

Dated this 9<sup>th</sup> day of December, 2004.

Willie Mae Shepherd  
Supervisor, Membership Records  
The Florida Bar

WMS/lpth7:R10

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

---

ACCESS 4 ALL, INC., a Florida Not-for-Profit Corporation, and PETER SPALLUTO, Individually,

CIVIL ACTION NO.  
1:04-CV-12154-MLW

v.  
Plaintiffs,

**ORDER ON MOTION OF JOHN PAUL FULLER TO BE ADMITTED PRO HAC VICE**

BRE/SWISS, LLC, a Delaware Limited Liability Company,

Defendant.

---

The motion for admission to practice pro hac vice in the above captioned matter is granted. The admitted attorney JOHN P. FULLER is permitted to argue or try this particular case in whole or in part as counsel or advocate.

This Order confirms your appearance as counsel in this case, and it will be entered on the Court's docket. A notation of your admission pro hac vice for the above listed case will be made on the roll of attorneys.

The attorney admitted pro hac vice must serve a copy of this Order on all other counsel in this case.

Dated:

---

United States District Judge

cc: John P. Fuller, Esq., 12000 Biscayne Blvd., Suite 609, North Miami, Florida 33181  
Gordon P. Katz, Holland & Knight, LLP, 10 St. James Avenue; Boston, MA 02116  
Mary A. Lau; Lau, Lane, Pieper, Conley & McCreadie, P.A., P.O. Box 838; Tampa, Florida 33601-0838  
Court File